

REMARKS

The Office Action mailed on August 4, 2009, has been received and its contents carefully considered. Favorable reconsideration and allowance of the present patent application are respectfully requested in view of the following remarks. Upon entry of the present Reply, Claims 1-36 have been amended only to better conform to U. S. patent practice; therefore, Claims 1-36 are pending in the present application. Claims 1-13, 15-17 and 20-36 stand rejected. Claims 14, 18 and 19 stand objected to. Applicant submits that upon entry of the present Reply, Claims 1-36 are in condition for allowance. Moreover, Applicant submits that no new matter has been introduced by way of this response.

Rejections under 35 U.S.C. §§ 102 and 103

Claims 1-7, 10, 25-27, 30-32 and 35 stand rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 5,610,981 to Mooney et al. (hereinafter referred to as “Mooney”).

Claims 8-9 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Mooney in view of U.S. Patent No. 4,951,249 to McClung et al. (hereinafter referred to as “McClung”).

Claims 11, 20-21 and 28 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Mooney in view of U.S. Patent No. 5,926,091 to Svensson et al. (hereinafter referred to as “Svensson”).

Claim 12 stands rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Mooney in view of McClung and further in view of Svensson.

Claim 13 stands rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Mooney in view of McClung in view of Svensson and further in view of U.S. Patent No. 4,675,654 to Copeland (hereinafter referred to as “Copeland”).

Claims 15-16 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Mooney in view of McClung and further in view U.S. Patent No. 6,194,979 to Bloom et al. (hereinafter referred to as “Bloom”), and further in view U.S. Patent No. 6,081,193 to Trucchi et al. (hereinafter referred to as “Trucchi”).

Claims 17 and 33 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Mooney in view of McClung, in view of Bloom, in view of Trucchi and further in view of Svensson.

Claim 22 stands rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Mooney in view of Svensson and further in view U.S. Patent No. 4,287,513 to Lam et al. (hereinafter referred to as “Lam”).

Claims 23 and 24 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Mooney in view of McClung and further in view U.S. Patent No. 5,406,261 to Glenn (hereinafter referred to as “Glenn”).

Claims 29 and 36 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Mooney in view of Svensson and further in view Glenn.

Claim 34 stands rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Mooney in view of McClung in view of Bloom, in view of Trucchi, in view of Svensson and further in view of Lam.

Applicant respectfully traverses each of these rejections for at least the following reasons.

Independent Claim 1 is the sole independent claim presently under consideration. None of the cited references, considered alone or in combination, teach or suggest every element recited in independent Claim 1.

Rejections under 35 U.S.C. § 102

The rejection of Claims 1-7, 10, 25-27, 30-32 and 35 under 35 U.S.C. § 102(b) as allegedly anticipated by Mooney is respectfully traversed. Claim 1 recites:

A monitoring device (1) for a data processing system (2) in a network comprising network connections (4), for protecting data storage and/or data transmission means of the data processing system against unauthorized access, the data processing system comprising a disabling circuit (6) for interfaces (8, 10, 12, 14), characterized in that only a single data storage means (9) is connected to a bootable interface (8) of the data processing system (2) as a mainboot device that can boot freely, that other bootable interfaces (10, 12, 14) are disabled at first, and that at least one of the interfaces (10, 12, 14) disabled by the disabling circuit (6) is enabled from a data processing point (16) located at a distance in the network via the network connection (4) after authorization of an authorized person at the data processing point (16).

Mooney does not describe or suggest every element recited in Claim 1. Rather, in contrast to the present invention, Mooney describes a secure computer at which the access to data storage devices is controlled via a card reader (111). To the contrary, the

present invention provides a computer system at which point authorization and access to data storage “is enabled from a data processing point (16) located at a distance in the network via the network connection (4).”

Furthermore, the Examiner cites Column 12, line 67 to column 13, line 4 of Mooney for the claimed feature of the present invention to which “only a single data storage means (9) is connected to a bootable interface (8) of the data processing system (2) as a mainboot device that can boot freely.” However, the cited portion of Mooney only describes that at the initialization of the reading of the one and/or two sectors, the C:drive is directed to the ROM of the card reader and intercepts the booting procedure. Thus the C:drive is not a mainboot device that can boot freely, as is claimed in the present invention.

In addition, Mooney does not teach, suggest or disclose whether other bootable devices, for example a floppy or CD drive can be booted or not. Rather, Mooney teaches that if an unauthorized access is attempted, the system bus is frozen, which indicates that the bootable interfaces are not disabled at first (See Mooney Column 15, lines 3-10).

This is a key distinction between Mooney and the present invention. In Mooney, if someone accesses the BIOS or is able to change the BIOS, it is possible to boot from a drive other than the C:drive and avert the security system. Furthermore the Mooney system may be manipulated by changing the ROM of the card reader or by inserting a manipulated card in the card reader.

In contrast, the present invention only connects a single data storage means to the bootable interface of the data processing system as a mainboot device, and allowing the mainboot device to boot freely. Since the other bootable interfaces are at first disabled

via the disabling circuit (6), only the mainboot device is booted. Furthermore, even if someone has access to the BIOS because the other bootable interfaces are physically disabled via the disabling circuit (6), no booting from a device other than the mainboot device is possible.

The Examiner also relies on Mooney for anticipating “that at least one of the interfaces (10, 12, 14) disabled by the disabling circuit (6) is enabled from a data processing point (16) located at a distance in the network via the network connection (4) after authorization of an authorized person at the data processing point (16),” as recited in Claim 1 of the present invention. To the contrary, Mooney only discloses that if a user’s responses match the correct answers stored on the card, the CPU is allowed to access all peripherals the user has been authorized to use (Mooney, Column 2 lines 57-59).

Mooney simply does not teach, disclose, or suggest that the disabling circuit is controlled from a data processing point located at a distance in the network via the network connection. The advantage of this feature in the present invention is that the authorization process cannot be manipulated at the data processing system itself because the data processing point which controls the disabling circuit is located far away from the data processing system, in the network.

As such, Mooney does not describe or suggest every element recited in Claim 1. For at least the reasons set forth above, Applicant respectfully submits that independent Claim 1 is patentable over Mooney. Since dependent Claims 2-7, 10, 25-27, 30-32 and 35 depend directly or indirectly from independent Claim 1, Applicant respectfully submits that Claims 2-7, 10, 25-27, 30-32 and 35 likewise are patentable over Mooney.

Accordingly, for at least the reason set forth above, Applicant respectfully requests that the §102 rejections of Claims 1-7, 10, 25-27, 30-32 and 35 be withdrawn.

Rejections under 35 U.S.C. §103(a)

The rejection of Claims 8-9 under 35 U.S.C. § 103(a) as allegedly unpatentable over Mooney in view of McClung is respectfully traversed. As noted above, Applicant submits that Claim 1 is patentable over Mooney. Applicant respectfully submits that the §103 rejections of Claims 8-9 are moot because Claims 8-9 depend directly or indirectly from independent Claim 1.

Accordingly, for at least the reason set forth above, Applicant respectfully requests that the §103 rejections of Claims 8-9 be withdrawn.

The rejection of Claims 11, 20-21 and 28 under 35 U.S.C. § 103(a) as allegedly unpatentable over Mooney in view of Svensson is respectfully traversed. As noted above, Applicant submits that Claim 1 is patentable over Mooney. Applicant respectfully submits that the §103 rejections of Claims 11, 20-21 and 28 are moot because Claims 11, 20-21 and 28 depend directly or indirectly from independent Claim 1.

Accordingly, for at least the reason set forth above, Applicant respectfully requests that the §103 rejections of Claims 11, 20-21 and 28 be withdrawn.

The rejection of Claim 12 under 35 U.S.C. § 103(a) as allegedly unpatentable over Mooney in view of McClung and further in view of Svensson is respectfully traversed. As noted above, Applicant submits that Claim 1 is patentable over Mooney. Applicant respectfully submits that the §103 rejection of Claim 12 is moot because Claim 12 depends directly or indirectly from independent Claim 1.

Accordingly, for at least the reason set forth above, Applicant respectfully requests that the §103 rejection of Claim 12 be withdrawn.

The rejection of Claim 13 under 35 U.S.C. § 103(a) as allegedly unpatentable over Mooney in view of McClung in view of Svensson and further in view of Copeland is respectfully traversed. As noted above, Applicant submits that Claim 1 is patentable over Mooney. Applicant respectfully submits that the §103 rejection of Claim 13 is moot because Claim 13 depends directly or indirectly from independent Claim 1.

Accordingly, for at least the reason set forth above, Applicant respectfully requests that the §103 rejection of Claim 13 be withdrawn.

The rejection of Claims 15-16 under 35 U.S.C. § 103(a) as allegedly unpatentable over Mooney in view of McClung and further in view of Bloom and further in view of Trucchi is respectfully traversed. As noted above, Applicant submits that Claim 1 is patentable over Mooney. Applicant respectfully submits that the §103 rejections of Claims 15-16 are moot because Claims 15-16 depend directly or indirectly from independent Claim 1.

Accordingly, for at least the reason set forth above, Applicant respectfully requests that the §103 rejections of Claims 15-16 be withdrawn.

The rejection of Claims 17 and 33 under 35 U.S.C. § 103(a) as allegedly unpatentable over Mooney in view of McClung in view of Bloom in view of Trucchi and further in view of Svensson is respectfully traversed. As noted above, Applicant submits that Claim 1 is patentable over Mooney. Applicant respectfully submits that the §103 rejections of Claims 17 and 33 are moot because Claims 17-33 depend directly or indirectly from independent Claim 1.

Accordingly, for at least the reason set forth above, Applicant respectfully requests that the §103 rejections of Claims 17 and 33 be withdrawn.

The rejection of Claim 22 under 35 U.S.C. § 103(a) as allegedly unpatentable over Mooney in view of Svensson and further in view of Lam is respectfully traversed. As noted above, Applicant submits that Claim 1 is patentable over Mooney. Applicant respectfully submits that the §103 rejection of Claim 22 is moot because Claim 22 depends directly or indirectly from independent Claim 1.

Accordingly, for at least the reason set forth above, Applicant respectfully requests that the §103 rejection of Claim 22 be withdrawn.

The rejection of Claims 23 and 24 under 35 U.S.C. § 103(a) as allegedly unpatentable over Mooney in view of McClung and further in view of Glenn is respectfully traversed. As noted above, Applicant submits that Claim 1 is patentable over Mooney. Applicant respectfully submits that the §103 rejections of Claims 23 and 24 are moot because Claims 23 and 24 depend directly or indirectly from independent Claim 1.

Accordingly, for at least the reason set forth above, Applicant respectfully requests that the §103 rejections of Claims 23 and 24 be withdrawn.

The rejection of Claims 29 and 36 under 35 U.S.C. § 103(a) as allegedly unpatentable over Mooney in view of Svensson and further in view of Glenn is respectfully traversed. As noted above, Applicant submits that Claim 1 is patentable over Mooney. Applicant respectfully submits that the §103 rejections of Claims 29 and 36 are moot because Claims 29 and 36 depend directly or indirectly from independent Claim 1.

Accordingly, for at least the reason set forth above, Applicant respectfully requests that the §103 rejections of Claims 29 and 36 be withdrawn.

The rejection of Claim 34 under 35 U.S.C. § 103(a) as allegedly unpatentable over Mooney in view of McClung, in view of Bloom, in view of Trucchi, in view of Svensson and further in view of Lam is respectfully traversed. As noted above, Applicant submits that Claim 1 is patentable over Mooney. Applicant respectfully submits that the §103 rejection of Claim 34 is moot because Claim 34 depends directly or indirectly from independent Claim 1.

Accordingly, for at least the reason set forth above, Applicant respectfully requests that the §103 rejection of Claim 34 be withdrawn.

CONCLUSION

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds of rejection are believed to have been overcome. The application, as amended, is believed to be in condition of allowance. An early and favorable action to that effect is respectfully requested.

Respectfully Submitted,
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